

Applicant : Louis J. Barbato
Appl. No. : 10/690,948
Examiner : Daniel Leon Robinson
Docket No. : 701470.4084

Remarks

Claims 1-27 are currently pending, of which claim 1 is independent. An action on the merits with regard to the elected claims is respectfully requested.

Rejections Under 35 USC §112

The examiner rejected claims 9 and 26 under 35 U.S.C. 112, second paragraph. Specifically, the examiner states that "the controller" referenced in claim 9 lacks antecedent basis; however, the Applicant notes that claim 9 is dependent upon claim 5 that recites "a controller." Therefore, this rejection is traversed.

With respect to Claim 26, the Applicant will amend this claim after a supplemental Office Action is provided, as will be explained below.

Rejections Under 35 USC §102 and § 103

The examiner rejected claims 1-3 and 24-26 under 35 U.S.C. 102(b) in light of Lorenz (U.S. Patent No. 6,697,654) and rejected claims 4-9 under 35 U.S.C. 103(a) as being unpatentable over Lorenz in view of Barbato. The Applicant respectfully traverses these rejections because the Lorenz patent was filed on June 25, 2002, and the filing date of the present application is July 16, 2001, almost a year before the filing date of the cited reference. Therefore, the Applicant submits that Lorenz is not prior art and that claims 1-9 and 24-26 are patentable.

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Conclusion


Prompt and favorable action on the merits of the claims is earnestly solicited. Should the Examiner have any questions or comments, the undersigned can be reached at (949) 567-6700.

The Commissioner is authorized to charge any fee which may be required in connection with this Amendment to deposit account No. 15-0665.

Respectfully submitted,

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